



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

TH/RAB
F. #2025R00212

271 Cadman Plaza East
Brooklyn, New York 11201

May 12, 2025

The Honorable Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Jonathan Braun
 Criminal Docket No. 10-433 (KAM)

Dear Judge Matsumoto:

The government respectfully submits this letter in advance of the continuation of the revocation hearing scheduled for May 15, 2025 at 2:30 p.m. As the Court is aware, the Violation of Supervised Release Report dated April 1, 2025 (“VOSR Report”) and the Addendum to the VOSR Report dated May 1, 2025 (the “VOSR Addendum”) contains charges relating to the following conduct:

- Charges 1-3: On March 29, 2025, the defendant Jonathan Braun assaulted an individual (“Victim-1”) and his three-year-old son (“Victim-2”).
- Charge 4: On January 24, 2025, while at Mount Sinai South Nassau Hospital, the defendant attempted to punch a registered nurse in the emergency department (Brianna Peace) and swung an IV pole at her.
- Charge 5: On March 22, 2025, the defendant grabbed the arm of a man (“Victim-5”) and threatened him during religious services at a temple.
- Charges 6 and 8: On February 15, 2025, the defendant went to the bedroom of the live-in nanny he and his wife employed (“Danelle”). The defendant held Danelle on her bed, groped her without her consent, and forced Danelle to touch his genitals.
- Charge 7: Between approximately May and July 2024, the defendant, who was driving a white Lamborghini Urus and a black Ferrari, repeatedly evaded paying the tolls for the Atlantic Beach Bridge.

- Charge 9: Since commencement of his supervised release term on January 19, 2021, Braun failed to pay his court-ordered fine and has an outstanding balance of \$77,200. The VOSR Addendum indicates that Braun advised his Probation Officer that he had access to funds to pay the fine in full but does not feel that he should have to pay the fine.
- Charge 10: In November 2021, the defendant left the Eastern District of New York without authorization from the United States Probation Department or the Court. Specifically, the defendant travelled to the Foxwoods El San Juan Casino in Puerto Rico.

At the revocation hearing that took place on April 10 and April 11, the government proved by a preponderance of the evidence: Charge 4 (Menacing in the Second Degree), as well as Charge 6 (Forcible Touching) and Charge 8 (Sexual Abuse in the First Degree). In addition, the government admitted testimony and evidence underlying Charges 1 through 3 (Assault and Child Endangerment) and Charge 7 (Petit Larceny). The government respectfully seeks leave to submit a post-hearing brief summarizing the evidence and the elements of each of these charges.

At the continuation of the revocation hearing on Thursday, the government intends to present the testimony of a law enforcement officer who took and received photographs of an individual Jonathan Braun assaulted (Victim-1) and a photograph of Victim-1's three-year-old son (Victim-2), related to Charges 1-3. The government also intends to present the testimony of a law enforcement officer who conducted the photo array identification of the toll collector who identified the defendant related to Charge 7. In addition, the government intends to admit certified records from the Foxwoods El San Juan Casino establishing the factual basis for Charge 10. Unless the Court believes it necessary to hear the testimony of United States Probation Officer Heather Clark, the government intends to prove Charges 9 and 10 solely by reference to documentary evidence.¹

Lastly, the government has served subpoenas on Victim-1 and Victim-5 for their testimony on Thursday. The government has contacted and attempted to contact both Victim-1 and Victim-5 several times. Both Victim-1 and Victim-5 live near the defendant and have expressed significant concerns and reluctance to testify. At times, both Victim-1 and Victim-5 indicated their outright refusal to testify. Since the subpoenas were served on Victim-1 and Victim-5, the government has repeatedly endeavored to confirm that Victim-1 and Victim-5 will appear at the hearing as required. As of this writing, however, the government has not received assurances that these witnesses will in fact appear.

¹ Unless the defendant intends to present testimony related to the charges in the VOSR Addendum, the defendant's request (see Docket Entry No. 231) for a "potential date for a full hearing" does not appear necessary, as the government does not intend to present witness testimony in connection with those charges.

As this Court has noted, “[b]ecause revocation proceedings are not deemed part of a criminal prosecution, neither the Confrontation Clause nor the Federal Rules of Evidence strictly apply to out-of-court statements.” United States v. Joseph, No. 18-CR-00002 (KAM), 2020 WL 565378, at *3 (E.D.N.Y. Feb. 4, 2020) (admitting out-of-court hearsay of victim at VOSR hearing). Should Victim-1 and Victim-5 fail to appear, the government may seek to admit hearsay statements of Victim-1 at the continuation of the revocation hearing.

The government may seek to admit the following exhibits at the continuation of the revocation hearing:

GX5	Photo Array Identification (previously marked)
GX20-23	Photographs of Victim-1
GX24	Photograph of Victim-2
GX25	Certified records from Foxwoods El San Juan Casino
GX26	Sworn deposition by Victim-1
GX27	Body Worn Camera Footage Dated March 29, 2025
GX27-T	Transcript of GX27

Respectfully submitted,

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